APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,095	03/23/2004	Scott Manchester	30835/306246	3837

45373   7590   11/13/2008
MARSHALL, GERSTEIN & BORUN LLP (MICROSOFT)
233 SOUTH WACKER DRIVE
6300 SEARS TOWER
CHICAGO, IL 60606

EXAMINER
ZHANG, SHIRLEY X

ART UNIT	PAPER NUMBER
2444	

MAIL DATE	DELIVERY MODE
11/13/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>25 July 2008</u>.

2a) ☒ This action is **FINAL**.　　　2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-6 and 8-28</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-6 and 8-28</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This final office action is prepared in response to the applicant's amendments and

arguments filed on July 25, 2008 as a reply to the non-final office action mailed on January 28,

2008.

Claim 7 has been cancelled;

Claims 1, 8, 15 and 21 have been amended;

Claims 1-6 and 8-28 are now pending;

Response to Arguments

Applicant's arguments and amendments filed on July 25, 2008 have been carefully

considered but deemed unpersuasive in view of the following response from the Examiner and

the new grounds of rejection as explained here below, necessitated by Applicant's substantial

amendments to the claims which significantly affected the scope thereof, and will require further

search and consideration.

Accordingly, THIS ACTION IS MADE FINAL. See MPEP 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

1.   Objection to the specification has been withdrawn.

2.   Regarding Applicant's remarks on "log file", Examiner asserts that

    a.   according to the original specification disclosure in paragraph [0045], [0049]

        [0049] In one embodiment, the thin client device that has been configured writes
        a configuration log file back into the portable media device

the "configuration log file" that was recited in the original claim 7 is a file created by the

thin client device and written to the portable media device. Nowhere in the original

specification or claims is it disclosed "*writing the log file from the portable media device*

to the thin client computing device". Therefore, this newly added element in the amended

claim 1 is considered **new matter**.

b.   Applicant argues ("Remarks", page 11) that the combination of using a log file to

provide network settings is not obvious as log files are not just performing their normal

task, but are being put to use on a different task, a task that is not foreseeable or obvious.

        Examiner asserts that the configuration log file as recited in the original claim 7 is

clearly a traditional sense log file for error checking, according to the disclosure in

paragraph [0049] of the specification:

> [0049] In one embodiment, the thin client device that has been configured writes a
> configuration log file back into the portable media device at step 618. This
> configuration log file allows the user to ascertain that the device has the proper
> configuration settings and can be used for diagnostic purposes.

        It is the Examiner's position that a log file is a file that stores the historic data of a

system, which is evidently the case in the present invention provided Applicant's

disclosure in [0049]. A log file can be used to store any type of data, including network

settings. An invention about storing network settings to a log file is about a known use of

a known technology therefore is not novel.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   **Claims 1, 2, 4, 5, 8-9, 11, 15-17, 20-23, and 25** rejected under 35 U.S.C. 103(a) as being

aobvious over Christopherson et al. (U.S. 2002/0095595, hereinafter "**Christopherson**"), in

view of in view of the printed publication "Log files: an extended file service exploiting write-

once storage" by Finlayson et al., hereinafter "**Finlayson**".

        Regarding claim 1, Christopherson teaches a method of configuring a thin client

computing device for operation in a network, comprising:

        creating configuration data for the thin client computing device, the configuration data

including network settings for the thin client computing device to operate in the network ([0008]

discloses that the preferred embodiments describe a method, system and program for configuring

a client computer connected to a network; [0011] further discloses that the sets of configuration

parameters associated with the tokens may include network configuration parameters indicating

network settings the computer uses to communicate over the network);

        storing the configuration data on a portable media device ([0044] discloses that

removable non-volatile storage medium may be used to store the configuration parameters);

        connecting the portable media device to the thin client computing device ([0044]

discloses that the user can take the removable medium to different client computer machines, and

the different network machines would initialize the client computer using the configuration

parameters in the non-volatile storage medium); and

detecting, by the thin client computing device, the portable media device connected

thereto ([0042] discloses that the configuration unit may be a PCMCIA card that is inserted in a

PCMCIA port of the client computer, or it can be any removable non-volatile storage medium; to

support these removal storage medium, the client computer inherently has the capability of

detecting the presence of the removable storage medium); and

executing by the thin client computing device a configuration program to automatically

configure the thin client computing device using the configuration data stored on the portable

media device ([0033] discloses that the boot firmware, a program executing on the client

computer, applies network configuration parameters stored in the NVRAM)

comprising writing the configuration date from the portable media device to the thin

client computing device (Christopherson, [0044]).

Christopherson does not explicitly disclose "a log file that comprises network settings."

However, logging information to a file is a well known computer programming technique

for device monitoring, error checking and recovery if needed, as taught by Finlayson. Therefore,

it would have been obvious for one of ordinary skill to implement the log file function into the

current invention to achieve the highly desirable and predictable result of error tracking.

Regarding claim 2, the combination of Christopherson and Finlayson teaches a method

as in claim 1.

Christopherson further discloses wherein the steps of creating and storing configuration

data are performed on a computer and the step of creating includes prompting a user, through a

user interface of the computer, to create network settings for the thin client computing device

([0032] discloses that the setup utility can receive network and operating system configuration

settings through an interactive user interface displayed by the setup utility).

Regarding claim 4, the combination of Christopherson and Finlayson teaches a method

as in claim 2.

Christopherson further discloses wherein the step of creating configuration data includes

generating, by computer, default values for selected network settings ([0039] discloses that the

setup utility may load certain default sets of configuration parameters into the NVRAM).

Regarding claim 5, the combination of Christopherson and Finlayson teaches a method

as in claim 4.

Christopherson further discloses wherein the step of generating default values includes

invoking an application program interface (API) of an operating system of the initiating

computer to generate the default values for the selected network settings (as is mentioned in

claim 4, [0039] discloses that the setup utility may load certain default sets of configuration

parameters into the NVRAM, it is inherent in this process that the loading of default sets of

configuration parameters is done via invoking an API of an operating system).

Regarding claim 8, the combination of Christopherson and Finlayson teaches a method

as in claim 7.

Christopherson further discloses the steps of: detecting, by the computer, reconnection of

the portable media device to the computer (Christopherson, [0044] discloses using removable

storage medium; any computer that supports removable media device inherently has the

capability of detecting the reconnection of the device to the computer);

retrieving, by the computer from the portable media device, the configuration log file

written by the thin client computing device (Christopherson, [0044]).

Regarding claim 9, the combination of Christopherson and Finlayson teaches a method

as in claim 2.

Christopherson further discloses wherein the step of creating network settings includes

receiving network setting data entered by the user ([0006] discloses that it is known in the prior

art that a user can enter networking settings at the client computer).

Regarding claim 11, the combination of Christopherson and Finlayson teaches a method

as in claim 1.

Christopherson further discloses wherein the portable media device is a flash memory

card ([0042] discloses that the non-volatile storage medium can be a PCMCIA card, which is a

flash memory card).

Regarding claim 15, Christopherson teaches a computer-readable medium having

computer-executable instructions for execution on a thin client computing device for performing

steps of:

detecting connection of a portable media device to the thin client computing device ([0042] discloses that the configuration unit may be a PCMCIA card that is inserted in a PCMCIA port of the client computer, or it can be any removable non-volatile storage medium; to support these removal storage medium, the client computer inherently has the capability of detecting the presence of the removable storage medium), the portable media device containing configuration data including network settings for the thin client computing device ([0044] discloses that removable non-volatile storage medium may be used to store the configuration parameters); and

automatically configuring the thin client computing device for operation in a network using the network settings contained in the portable media device ([0033] discloses that the boot firmware, a program executing on the client computer, applies network configuration parameters stored in the NVRAM)

comprising writing the log file from the portable media device to the thin client computing device (Christopherson, [0044]).

Christopherson does not explicitly disclose "a log file that comprises network settings."

However, logging information to a file is a well known computer programming technique for device monitoring, error checking and recovery if needed, as taught by Finlayson. Therefore, it would have been obvious for one of ordinary skill to implement the log file function into the current invention to achieve the highly desirable and predictable result of error tracking.

Regarding claim 16, the combination of Christopherson and Finlayson teaches a computer-readable medium as in claim 15.

Christopherson further discloses wherein the step of automatically configuring includes recognizing that the portable media device contains network settings, and invoking a configuration program to implement the network settings in the computing device ([0033] discloses that the boot firmware applies the network configuration parameters stored in the NVRAM).

Regarding claim 17, the combination of Christopherson and Finlayson teaches a computer-readable medium as in claim 15.

Christopherson further discloses having further computer-executable instructions for performing the step of writing settings configured on the thin client computing device into the portable media device ([0044] discloses that removable non-volatile storage medium may be used to store the configuration parameters, which action is inherently performed by computer-executable instructions).

Regarding claim 20, the combination of Christopherson and Finlayson teaches a computer-readable medium as in claim 15.

Christopherson further discloses wherein the portable media device is a flash memory card ([0042] discloses that the non-volatile storage medium can be a PCMCIA card, which is a flash memory card).

Regarding claim 21, Christopherson teaches a thin client computing device comprising:

a microprocessor circuit ([0018] discloses that the client computer includes a CPU);

a media port for receiving a portable media device ([0042] discloses a PCMCIA port of

the client computer);

and a memory containing computer-executable instructions for execution by the

microprocessor circuit for detecting connection of a portable media device to the media port

([0018] discloses that the client computer includes a memory, which inherently contains

computer-executable instructions for execution by the microprocessor; [0042] further discloses

that the configuration unit may be a PCMCIA card that is inserted in a PCMCIA port of the

client computer, or it can be any removable non-volatile storage medium; to support these

removal storage medium, the client computer inherently has the capability of detecting the

presence of the removable storage medium),

the portable media device containing configuration data including network settings for

the thin client computing device ([0044] discloses that removable non-volatile storage medium

may be used to store the configuration parameters); and

automatically configuring the thin client computing device for operation in a network

using the network settings contained in the portable media device ([0033] discloses that the boot

firmware, a program executing on the client computer, loads network configuration parameters

stored in the NVRAM; see [0044] for more information).

Christopherson does not explicitly disclose "a log file that comprises network settings."

However, logging information to a file is a well known computer programming technique

for device monitoring, error checking and recovery if needed, as taught by Finlayson. Therefore,

it would have been obvious for one of ordinary skill to implement the log file function into the

current invention to achieve the highly desirable and predictable result of error tracking.

      Regarding claim 22, the combination of Christopherson and Finlayson teaches a thin

client computing device as in claim 21.

      Christopherson further discloses wherein the memory contains computer-executable

instructions for execution by the microprocessor circuit for recognizing that the portable media

device contains network settings, and invoking a configuration program to implement the

network settings in the thin client computing device ([0033] discloses that the boot firmware

applies the network configuration parameters stored in the NVRAM).

      Regarding claim 23, the combination of Christopherson and Finlayson teaches a thin

client computing device as in claim 21.

      Christopherson further discloses wherein the memory contains computer-executable

instructions for execution by the microprocessor circuit for writing settings configured on the

thin client computing device into the portable media device (page 5, claim 1 discloses storing

sets of configuration parameters in the non-volatile storage unit).

      Regarding claim 25, the combination of Christopherson and Finlayson teaches a thin

client computing device as in claim 21.

      Christopherson further discloses wherein the media port is a flash card slot ([0042]

discloses a PCMCIA port that is a flash card slot).

2.   **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Christopherson

and Finlayson as applied to claim 2 above, further in view of the web article "Using XML Based

Configuration File in Windows Form Applications" authored by Daniel, Olson.

        Regarding claim 3, the combination of Christopherson and Finlayson teaches a method

as in claim 2.

        Christopherson further discloses wherein the step of storing stores the configuration data

on the portable media device ([0044] discloses that removable non-volatile storage medium may

be used to store the configuration parameters).

        Christopherson does not explicitly disclose that the step further includes generating an

Extensible Markup Language (XML) file containing the network settings for the thin client

computing device.

        However, at the time the invention was made, it was already well known that

configuration data can be stored in a file using XML format, as evidenced by Olson's disclosure.

        Therefore it would have been obvious for one of ordinary skill in the art to generate an

XML file containing the network settings for the thin client computing device. And the

motivation to combine would have come from the fact that storing configuration data in XML

was knowledge generally available to one of ordinary skill.

3.   **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Christopherson

and Finlayson, as applied to claim 2 above, further in view of the printed publication "**Wi-Fi**

Protected Access: Strong, Standards-based, interoperable security for today's Wi-Fi networks"

prepared by Wi-Fi Alliance on April 29, 2003.

Regarding claim 6, the combination of Christopherson and Finlayson teaches a method

as in claim 2.

Christopherson further discloses that wireless transmission media as a possible media

connection in the preferred embodiment ([0041] discloses "wireless transmission media").

Christopherson does not explicitly disclose that the step of creating network settings

includes generating a security key for the wireless network.

However, it is well known that a security key is a critical and integral part of the

configuration parameters for the wireless network, as is disclosed in the article "Wi-Fi Protected

Access".

Therefore, it would have been obvious for one of ordinary skill in the art to modify

Christopherson so that its networking setting parameters include the security key for wireless

network. One would have been motivated to combine as such by Christopherson's teaching of

including wireless network media in a preferred embodiment.

4.   **Claims 12-14, 18, and 26-28** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Christopherson and Finlayson as applied to claim 1 above, further in view of **Takenaka**

(U.S. 6,411,829).

Regarding claims 12, 18 and 26, the combination of Christopherson and Finlayson

teaches a method as in claim 1, a computer-readable medium as in claim 15 and a thin client

computing device as in claim 21.

Christopherson does not explicitly disclose the steps of signaling by the thin client

computing device a completion of configuration operation after the thin client computing device

is configured using the configuration data stored on the portable media device.

However, Takenaka teaches using audio or visual signal to indicate the completion of

charging in column 4, lines 57-67 and column 5, lines 1-15.

It would have been obvious for one of ordinary skill to modify Christopherson with

Takenaka's audio and visual signaling technique so that the client computer will signal a

completion of configuration operation.   One would have been motivated to combine as such by

the fact that the thin client in the current invention is similar to the mobile device disclosed in

Takenaka, therefore the combination would have yielded a predictable result.

Regarding claims 13 and 27, the combination of Christopherson and Finlayson teaches

a method as in claim 12, and a thin client computing device as in claim 26.

Christopherson does not explicitly disclose but Takenaka teaches the step of signaling

includes flashing a light-emitting diode (LED) on the thin client computing device (Takenaka,

column 5, line 12 discloses signaling the completion of charging by flashing the LED).

The motivation to combine Christopherson and Takenaka is the same as that stated for

claims 12 and 18 above.

Regarding claims 14 and 28, the combination of Christopherson and Finlayson teaches

a method as in claim 12, and a thin client computing device as in claim 26.

Christopherson does not explicitly disclose but Takenaka teaches the step of signaling

includes displaying a message on a liquid crystal display (LCD) screen of the thin client

computing device (Takenaka, column 5, lines 8-9 disclose the method of controlling the display

section for displaying the completion of charging).

The motivation to combine Christopherson and Takenaka is the same as that stated for

claims 12 and 18 above.

5.   **Claims 10, 19 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Christopherson and Finlayson as applied to claims 1 and 21 above respectively, further in view

of "IBM 8MB USB Memory Key – User's Guide" published by IBM on 2000, hereinafter "IBM

USB".

Regarding claims 10, 19 and 24, the combination of Christopherson and Finlayson

teaches a method as in claim 1, a computer-readable medium as in claim 15, and a thin client

computing device as in claim 21, respectively.

Christopherson does not explicitly disclose that the portable media device is a universal

serial bus (USB) flash drive, or the media port is a USB port.

However, USB flash drive has been available since 2000, as evidenced by the by IBM

user's guide.

It would have been obvious for one of ordinary skill in the art at the time of the invention

to use USB flash drive as a possible choice of the portable media device in the current

application, and as a result the media port is a USB port. One would have been motivated to

combine as such by Christopherson's teaching/suggestion in paragraph [0044] that other types of

removable storage device may be used to store the configuration parameters.

Conclusion

THIS ACTION IS FINAL. Applicant is reminded of the extension of time policy as set forth in

37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SHIRLEY X. ZHANG whose telephone number is (571)270-

5012. The examiner can normally be reached on Monday through Friday 7:30am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. X. Z./
Examiner, Art Unit 2444
11/05/2008

/Paul H Kang/
Primary Examiner, Art Unit 2444